Essroc San Juan
Italcementi Group

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June 25, 2013

Eng. Murray Lantner, P.E.
Environmental Engineer
US Environmental Protection Agency
Region 2, DECA-WCB-CS
20th floor, 290 Broadway, NY, NY 10007

Regarding: Essroc San Juan Cement
Compliance Evaluation Inspection, June 7, 2012 and Consent Decree (3:09-cv-01578)
Individual Permit No. PR0001163 and MSGP 2008 Tracking No. PRR05BJ45
Site visit: June 7, 2012
Inspector: Murray Lantner, PE Environmental Engineer USEPA Region 2

Dear Mr. Lantner:

The present letter responds to and clarifies the comments you raised as a result of your inspection performed of the stormwater conveyance systems at the Essroc site on June 7, 2012. Due to more than twelve (12) months of continuous compliance with applicable requirements, this letter is also intended to demonstrate our interest in terminating g the Consent Order based on ESSROC's satisfactorily compliance with the requirements for termination under the Consent Decree.
The sections written in black bold letters correspond to your comments, some of which have been grouped and abbreviated for conciseness sake. Essroc's responses or comments are included in regular non-bold letters.

II. Individual Permit (PR0001163)
A. Non-Compliance Items (Individual Permit)

1. **Part I Special Condition 3 and Part II.5 of the Individual Permit require that the facility be properly operated and maintained. Essroc failed to properly operate and maintain the gabion channel, that discharges to Pond No.2 and then Outfall 001, as described below:**

   a. **As shown in photographs 488 to 500 (the channel, with the Lagoon Enhancement System (gabion system), between Pond 1 and Pond was not properly maintained. There were sizable gaps between several of the gabions and the channel walls where the water in the channel was flowing around the gabions. Flow around the gabions erodes the banks, and reduces the settling time, and reduces effectiveness of the system. Similar problems were identified during EPA's CEI on October 22, 2010.**

      … Each of the Gabion design drawing specified that the banks of the channel (between lagoon 1 and 2) at each Gabion was either to be stabilized with rocks/gabions to prevent or reduce erosion of the banks at the gabion sections, or each gabion was to be keyed into the channel bank. Essroc placed Gabions sections in the channel but had not stabilized the banks of the channel. As described above there were several instances where the gabion was not keyed into the channel bank.

      In Essroc's August 1, 2011 response to the October 2010 CEI, it indicated that gaps in the gabions would be filled with stones similar to those used in the gabions.

Nonetheless during this 2012 CEI there were several gaps between the gabions and the banks of the channel.

In Essroc's reply for the CEI for October 22, 2010, it was stated that:

> "The installation of the gabions followed the design parameters for the Gabion Installation Detail. As such, gabions were keyed into the banks of the channel. Upon installation, the top corner portion on some of the gabions had small a gap, particularly in areas where the slope of the bank was steeper. To correct this, the gaps were filled with stones similar to those placed inside the gabions. This action was performed to correct the situation and evaluate its operation because it was unforeseen in the installation of the gabions that such a condition would occur. This action was not considered to deviate significantly from the gabion installation detail. Further evaluation of the operation of the system is and will be ongoing."

The initial installation was performed following the approved design with minor upgrades described in the statement above. The design was adjusted and fine-tuned to meet specific site conditions encountered in the field. However, extremely high flow periods, such as those experienced after the rain storms which affected the area, caused significant damage to the stormwater drainage channel and the gabions. This was not foreseen in the original design and Essroc was forced to perform subsequent corrections and upgrades to maintain the system in proper operation.

During the 2012 CEI, Essroc was testing a new BMP that intended to direct the flow of the storm water towards the center of the gabion, thus reducing the need to place stones in the lateral sections were the gabion was not keyed into the channel (see comments below).

In several occasions, Essroc performed maintenance activities consisting of the installation of rocks and cleaning of gabions. This was done to ensure that the system operated properly as intended in the approved design.

b. Essroc has employed silt fencing as well as plastic sheets inside the gabion channel. As shown in photographs 488, 490, and 492, the flow goes underneath the silt fence and not through the silt fence. Therefore solids in the discharge as well as solids from the channel bottom could be scoured or discharged from under the silt fence….. Silt fencing is not appropriate BMP for the gabion channel.
SEE RESPONSE below.

c. Essroc has also placed plastic sheets behind the silt fencing as shown in photos 488, 490, and 491. Ms. Rivera explained that the purpose was to slow and pool the water flow. However, as described in subparagraph b. above the plastic sheeting is not appropriate in this steep-sided and narrow channel and is not likely to be effective during periods of high flows in the gabion channel.

The "fences" installed in the channel were not intended to perform as regular silt fences. Essroc was testing the use of this material as a BMP to direct the water towards the center of the gabion, particularly during periods of low flow. This was an innovative use of the silt fence material, but geared towards a different purpose.

As defined by the EPA in its Appendix A of the 2003 Construction General Permit, Best Management Practices (BMPs) are defined as:

"Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practice to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage."

BMPs are selected by the site owner based on engineering best judgment according to the specific needs of the site. While we agree with EPA that silt fencing is generally not appropriate BMP for the gabion channel. Essroc's temporary use of these plastic sheets proved effective to direct the water towards the center of the gabion, particularly during periods of low flow. Although EPA suggests consulting EPA's resources for selecting BMPs, the site owner is ultimately responsible for developing and implementing BMPs.

The fences were temporarily installed for a period of 7 months and were removed on December 2012 for the overall upgrade project of the channel.

d. Appendix A of the CD (Drawing C-01 dated 12/26/07) specifies that vegetation was to be planted in the channel between each of the gabions to facilitate removal of organic matter. The photographs of the channel 488-495 indicate that the channel between Lagoons 1 and 2 was not vegetated between each gabion as specified in the plans.

Essroc planted grasses on three (3) different occasions in the area between the gabions, but unfortunately the vegetation resulted in unsuccessful germination. Since the planting was not successful, Essroc decided to add rocks to the bottom of some sections of the channel to prevent erosion.

According to the report prepared by ERM, dated September 13, 2007 and titled *Temporary Improvements for Biochemical Oxygen Demand (BOD), Surfactants, and Coliforms on Existing Lagoon System* "the use of a rock filter to the effluent line will most probably reduce BOD (up to a certain point) if it is of particulate origin. Soluble BOD can only reduce with biological or a chemical oxidation treatment". With the regards to TSS, the report indicated that "the use of a rock filter to the effluent "the use of a "gabiones" rock filter will reduce the effluent TSS". Finally, the recommendations indicated to "add a rock filter (gabion) to the outlet of lagoon #2 to reduce effluent solids, and retain some turbidity."

ERM's report dated January 9, 2008, titled *Gabion Rock Filter Conceptual Drawings*, indicates that installing gabion filters between lagoon #1 and lagoon #2 would "reduce TSS, color, and turbidity from effluent". The design concept suggested planting Bermuda grass and maintaining it "cut below two inches to reduce detritus and decaying vegetation while increasing organic material removal by plant uptake." Thus, the main objective of the gabion system aimed to reduce TSS, color and turbidity, with a secondary positive effect of reducing organic material removal by plants.

The DMR reports for 2012 indicate that the outfall parameters for TSS, color and turbidity were not exceeded. Thus, it can be assumed that the gabion filter system is performing adequately and as required to remove and control these parameters.

e. **As shown in the June 6, 2012 Lagoon Enhancement Routine Inspection Report, Essroc indicated that the Gabions and the Channel structure were operating effectively and that no correction action was needed. However as documented above, during this CEI on June 7, 2012, both the gabions and channel stabilization was in need of corrective action. Please explain why the Essroc June 6, 2012 Routine Inspection differed from the EPA observations on June 7, 2012.**

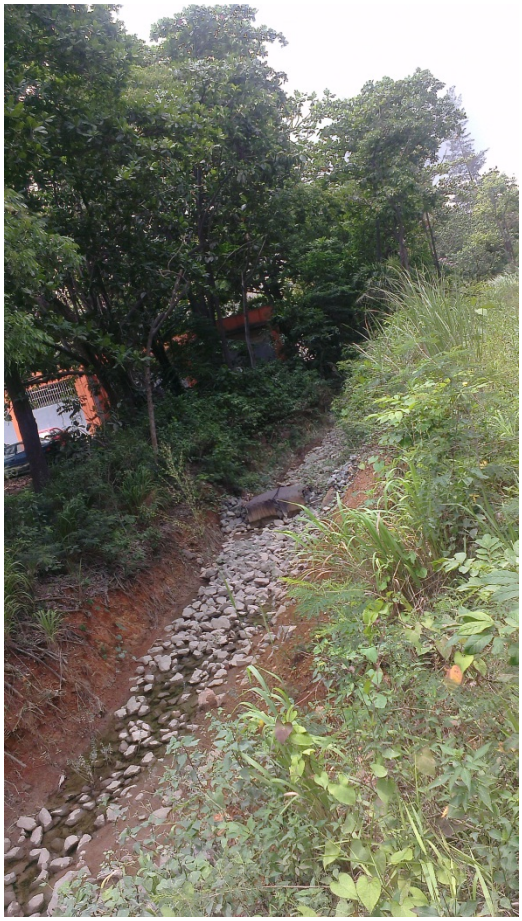
   On June 6, 2012 the "fences" were in place in front of the gabions. The plastic material was directing the flow towards the center of the gabion as shown in photo 490 included with the CEI for June 7, 2012. Since the material was being effective at directing the waters towards the center of the gabion, it prevented flow on the channel banks and the gabion sides. Thus, with the added BMP, during the inspection of June 6, 2012, it was understood that the system was working effectively and no corrective actions were needed at the time.

Paragraph 12.b.i required that the Lagoon Enhancement System be capable of treating the 10 year 24 hour storm. In addition to failing to properly operate and maintain the Lagoon Enhancement System, based upon the findings above, the system does not appear to be design to in accordance with Paragraph 12.b.i of the CD. Essroc must conduct upgrades to the Lagoon Enhancement System to ensure that the water does not flow around the gabions and that the channel is vegetated as required.

Essroc has been conducting upgrades of the Lagoon Enhancement System since its initial installation in order to maintain the proper operation of the system. As time progressed, adjustments to the design have been necessary to maintain adequate conditions in the field. All enhancements were directed at maintaining the intended design of the system that was to reduce TSS, color and turbidity.

Essroc refurbished the gabion system in December 2012 during which time the bottom of the channel was filled with rocks and new gabions were installed. This was performed to ensure that water does not flow around the gabions. Thus, Essroc has been complying with the EPA requirements and has upgraded the system to further ascertain its proper performance. Report and design of the Stormwater Consolidation Proposal and conveyance system upgrade was included in Quarterly Report send on January 28th 2013.

The following photos show how efficient the system is working, with rocks installed in bottom of channel, and the Gabions keyed at the channels walls:



The following photos show the Storwater consolidation and re-direction system project performed in December 2012. A sumary of the project's report and design was included in the Quaterly Report send on January 2013.

2. For the period November 2010 to January 2013, the discharge from Essroc's Outfall 001 violated effluent limitations….

The likely cause of the reported exceedance for Sulfates reported in February 2012 was not associated to a specific cause. In which case we focused our effort to up-grade, maintain and improve the frequency inspections to the existing BPM.

3. **Review of Essroc's DMR submittals for the period November 2010 to January 2013…Essroc failed to conduct and/or report the enhanced monitoring results as required by paragraph 14 of the CD as described in Table 2 below.**

   In Essroc's reply on March 5, 2013, it was stated that:

   > *As an involuntary omission the instruction to the laboratory to increase of the sampling frequency was not made. This situation unfortunately occurred during the Environmental Engineer's maternity leave. Once we noticed the error we provided to the laboratory the specific instructions of increasing the monitoring frequency.*

   From March 2011 thru August 2011 a weekly monitoring samples for sulfates and surfactant were collected and reported in every DMR's.
   From February 2012 thru June 2012 a weekly monitoring samples for sulfates were collected and reported in every DMR's.
   All DMR were included in every Quarterly Report.

4. **Essroc has failed to conduct and/or report weekly monitoring for Sulfates and Surfactants for period of December 2010 to March 2011. As shown in Table 1 above, Essroc's discharges violated the effluent limits for Surfactants and Sulfates in November 2010 and January 2011, and for Sulfates in February 2011 and this should have triggered weekly monitoring for sulfates and surfactants in accordance with paragraph 14 of the CD….**

   From March 2011 thru August 2011 a weekly monitoring samples for sulfates and surfactant were collected and reported in every DMR's.
   From February 2012 thru June 2012 a weekly monitoring samples for sulfates were collected and reported in every DMR's.
   All DMR were included in every Quarterly Report.

5. **Review of the November 2010, thourgh July 2011 DMRs, indicated that Essroc failed to monitor for Settleable Solids as required by Table A-1 of the Individual Permit… DMRs indicated that Essroc Failed to monitor for Settleable Solids.**

   In Essroc's reply on March 5, 2013, it was stated that:

   > ***"Review of the November 2010… DMRs indicated that Essroc Failed to monitor for Settleable Solids.***
   > *Parameter was monitored by a visual inspection assuring that no solids from stormwater caused deposition in, or be deleterious to existing or designated uses of the waters. We instructed our laboratory to establish another method that can be used to report this parameter and will be included in August's DMR."*

6. **Essroc's DMR for the period Nov 2010 to Dec 2011 did not include results for flow rate, which is also required by Table A-1 of the Permit. The EPA issued DMRs did not include a row for flow rate, although required by the permit.**

   This issue was discussed and clarified in conferences calls with EPA made in February 2012. Non- compliance incidents enumerated from point 2 thru 6 were discussed in the letter submitted to EPA on March 5, 2013 in response to conference call with Murray Lantner and Eduardo Gonzalez in follow up to our August 1, 2011, letter to you in which Essroc representatives, Beatriz Rivera, Gary Molchan, Francis Torres, and David Constant, participated.

7. **The continuous flow meter at Outfall 001 was in need of repair or upgrade.**
   The flow meter was working properly, and we found:
   1- Bio solids material obstructing the signal between the water and the sensor;
   2- Problem with the equipment receiving the data from the sensor.
   In all times the sensor were accumulating data. Continuous flow was recorded.
   The following notes were included in each DMR Report but we experienced mechanical graphic problems
   "Equipment accumulates data but did not produce the graph"

B. Areas of Concern (Individual Permit)

1. **Essroc's Gabion Rock Filter Conceptual Drawings, developed by its consultant ERM, dated January 9, 2008… stated that the valve to drain Pond No. 1 should be kept closed so that all flow goes over the top of the spillway to use all of Retention Pond 1 for treatment. Similary Essroc's July 30, 2010 CD Quarterly Report to EPA also states that the transfer valve from Pond 1 will be kept closed. At the time of the inspection… the transfer valve was open and there was a discharge from Pond No. 1… Essroc should update its BMP Plan to include the procedures for opening and closing the butterfly valve, visual observations of the Pond and the discharge when the valve is open, when Essroc will conduct pond draw-downs are and to what level the pond level will be lowered.**

   Essroc has adopted a BMP strategy to provide higher retention capacity and time for the inflow of stormwater into the Pond No. 1. The drainage valve at Pond No. 1 is open prior to the impact of a storm event to lower the pond's level. After the water level is lowered, the valve is closed. During a storm event, the valve is kept closed. This helps to ensure that it will serve as a retention pond and have less water short circuit over the spillway during a major rain event. This practice intends to maintain the original design of the lagoon as a retention pond and to provide sedimentation to the water.

   The BMP plan will be updated within the next 4 months to reflect this practice and will be submitted to the EPA for review.

2. **Raw Material Storage and Other Areas Tributary to Outfall 001**
   a. **Hay bales in the coal storage area were in poor conditions and in need of replacement**
      Hay bales were removed and replaced by cement barriers.

   b. **There is unstabilized material in the East and West Stack area tributary to NPDES Outfall 001.**
      Materials are protected by vegetation areas, inspection during rain was performed and no evidence of run off was observed.

   c. **Silt fencing around slag pile was down…Earthen berm surrounding the slag pile was not stabilized and could also erode.**
      Silt fencing was removed as these were not effective.
      Earthen berm was stabilized in June 2012.

   d. **There are uncovered drums stored at the facility. What is the status and purpose of these drums?**
      The area referred to is an empty drum storage area. To prevent confusion, the area will be provided with a sign to identify that only empty drums are to be located there.
      Other practices to be implemented will include that all drums will be closed and placed

upside down. The procedures for empty drum management will be included in the BMP plan.

e. **There was oil staining on the concrete floor in the oil changing area. The oil changing area does not have containment around it, and does not have a roof. Please explain how Essroc's BMP Plan addresses this area and what housekeeping and maintenance procedures are employed here.**
Essroc will provide secondary containment for oil containers in this area and training on oil management to all employees that work in the area. Practices for oil management will be revised in the SPCC plan and in the BMP Plan.

f. **Hardened clinker that was removed from the floor of the storage building was being reground. This clinker was stored outside and exposed to precipitation. This activity should be addressed in Essroc's BMP Plan.**
The process of clinker removal from the floor is not a reoccurring activity. It was performed to remove material that became hardened at the bottom of the storage area and was reducing the storage volume.
The material was removed using a hydraulic hammer and was transferred by an excavator to a grinding machine. From there, the material was directly reprocessed in the clinker. The material being worked on was placed outside for relatively short periods of time and only while it was being processed.

Although this is not a frequently reoccurring activity, it may potentially occur in the future. Thus, it will be included in the BMP plan that will be revised within the next 4 months.

g. **Essroc said that they were waiting to clean the channel for when the project to reroute the stormwater channel from Pond 2 to Pond 1. As shown… the channel that leads to Pond 2 was not stabilized. What is the status of moving this material and doing the proposed channel relocation project to Pond 1… There was accumulation of sediment at the Pond 2 inlet that is near the pond outlet to NPDES Outfall 001. The construction of pond forebays were discussed…. Essroc may also consider baffling to prevent short circuiting in the pond.**

The cleaning of the channel was implemented during the consolidation and re-routing construction project performed in December 2012.

The pond forebays were included in the system.

h. **There was a clogged storm inlet along the road that is tributary to Pond No. 2**
Maintenance to this storm inlet was provided on June 2012 to remove all material that was clogging the inlet.

i. **Essroc should consider an outlet control to minimize erosion or scouring control in the Outfall 001 discharge channel.**
To clarify, the discharge at Outfall 001 descends into a concrete structure and then into a rock filled channel, therefore there in no evidence of erosion or scouring that will require additional controls. Please provide more details as to what it suggested in this area.

3. **As shown… there appeared to be a water line leak that flowed down a concrete channel into the gabion channel tributary to Pond No. 2 and ultimately to Outfall 001. Essroc said that they would contact PRASA. Explain the source of this water and the current status.**

There were leakages in the fresh water pipe supplying line of old structure. The situation was corrected.

4. **Special Condition 13.c of the Individual Permit requires a Compliance Plan for fecal and total coliforms that includes a Plan of Study (POS)… Please provide an update on the current status of compliance with Special Condition 13.c of the Permit and the final effluent limitations for Fecal and Total Coliforms scheduled for December 31, 2012.**
The Plan of Study required by Special Condition 13.c was completed. Each individual phase of the POS was submitted as listed below:

Feasibility Connection to PRASA – submitted to EQB June 11, 2011
Analysis of Previous Studies – submitted to EQB July 15, 2011
Field Investigation – submitted to EQB Oct 21, 2011
QAPP for Fecal and Total Coliforms – submitted on Feb 2, 2012
Final Report – submitted on Sept 20, 2012

EQB has not provided response to any of these submittals. Since the EQB sets the final permit limits by means of the water quality certificate, these are not finalized. Thus, Essroc does not have the final effluent limitation for Fecal and Total Coliforms.

5. **Lagoon Enhancement Routine Inspection From contains a box to describe the discharge if a discharge is occurring… EPA expects that the description would include visual observations similar to the Quarterly Visual Assessment form utilized by Essroc.**
The Lagoon Enhancement Routine Inspection From has been modified in order to include a better description of the discharge as it occurs. A copy of the form is included in Appendix 1.

6. **Based on the debris in the fence and metal beam above the weir, it appears that flows from Pond 2 exceeded the height of the weir at Outfall 001 which would lead to inaccurate flow estimates.**
The flow meter was working properly, and we found:

3- Bio solids material obstructing the signal between the water and the sensor;
4- Problem with the equipment receiving the data from the sensor.

In all times the sensor were accumulating data. Continuous flow was recorded.

The following notes were included in each DMR Report but we experienced mechanical graphic problems

"Equipment accumulates data but did not produce the graph"

C. Other

1. No comment.

III. Stormwater Permit (MSGP 2008)

A. Areas of Concern (MSGP 2008)

1. … As shown in photographs… there was an eroded channel flowing towards and around the rock berm located between Quarry Areas 5 and 6. The area upstream of the rock berm should be stabilized the rock berm maintained to eliminate flow paths around the rock berm.

This area was corrected.

2. The scale (of the site map) was too small to identify the different Structural Control Measures Best Management Practices (BMPs)… Please resubmit Essroc's site map either electronically or blue print size document. Addtionally, Essroc Stormwater industrial Routine Inspection Report should be modified so that the Structural Control Measure (BMP) are individually identified and the condition of each BMP noted.

The site map for the SWPPP was modified to illustrate the locations and to identify the control measures. Unfortunately, Essroc does not have a map of this area with a better scale. The modified map will be included in the revision of the BMP .

The Inspection sheet has been modified to list each control measure individually. A copy of the modified inspection sheet is included in Appendix 2.

3. **The final pond to discharge at SW Outfall No. 2 requires maintenance. Ms. Rivera, of Essroc, explained that Essroc would build up the outflow from this pond with rocks similar to other upstream ponds in the SW Outfall No. 2 flow channel.**
   Maintenance was performed during June 2012.

4. **The MSGP 2008 also identifies that stormwater discharge-related activities (e.g. mining operations) must be considered when evaluating the impacts to listed species…. Essroc's SWPPP has not demonstrated compliance with the Endangered Species Act in its mining areas, since there are no protocols to look for, identify, and relocate listed species such as the Puerto Rican Boa (Epicrates inornatus) from active mining, blasting, or other active areas of the site.**
   Essroc's August 2, 2011 letter Appendix 12 contains the protocol for the management of the Puerto Rican Boa in the quarry area. The protocol, DRNA contact information and educational information must be included in Essroc's SWPPP to ensure protection of endangered species at Essroc's facility.
   As requested, the SWPPP will be updated to include the Protocol for the Management of the Puerto Rican Boa. The SWPPP will be updated within the next 4 months.

IV. Consent Decree – Areas of Concern

1. **Essroc submitted its Lagoon Enhancement System Operation Maintenance Plan (LESOMP) as required. The LESOMP does not address the following and therefore the LESOMP must be modified and resubmitted:**
   a. **There is little to no vegetation in the channel and there are no procedures or mechanism in the LESOMP to ensure that plants are actually growing in the channel. If they are not growing Essroc must evaluate the reason for plant failure and work to put in plants that would actually grow in the gabion channel or other channel stabilization measures.**

      Please see our comments in section II. A. 1 of this document.

   b. **The LESOMP – When Needed Section – does not include an evaluation of whether each gabion in keyed into the channel wall to avoid flow around the gabion… Gaps in the gabion would be filled with stones similar to those used in the gabions. Procedures for inspecting and repairing the gabions must be included in the LESOMP.**

The O&M Plan for the Lagoon Enhancement System will be revised within the next 4 months.

c. **Gabion Rock Filter Conceptual Drawing… stated that the butterfly valve at Pond 1 should be kept closed so that all the flow goes over the top of the spillway. The LESOMP indicates that the use of a drainage valve… will allow heavy loads of sediments. Essroc's LESOMP must include its procedures and guidelines for when the valve is opened and closed.**

The BMP and O&M plan will be modified to include the procedures for opening and closing the butterfly valve that drains Pond 1. This task should be completed within the next 4 months.

d. **Silt fencing in the gabion channel… These materials are not noted in the LESOMP… but these BMPs are not appropriate within the gabion channel.**

Please see our comments in section II. A. 1 of this document.

2. **Lagoon Enhancement Routine Inspection Report**
   a. **Identify and number each gabion in the gabion channel and assess whether each of the gabions is functioning properly and is adequately keyed into the bank.**

   The gabions have been individually identified in the site plan and in the inspection report (see Appendix 1 and 2).

   b. **The inspection report form and LESOMP should be updated to describe what is meant by channel structure stabilization and how to evaluate whether channel structure (stabilization) is effective or not and in need of repair.**

   The form was updated as proposed and the O&M plan will be updated within the next 4 months to provide a better description of what the inspection aims to identify.

3. **Provide the date of submittal that included the certification of MSGP compliance.**
   Certification of MSGP Complainace was submitted in Quaterly Report submitted in October 29 2012.
4. **Stormwater Consolidation Project…. Please provide a schedule for completing this project as well as plans to upgrade the gabion system and whether a forebay will be provided in Pond No. 1.**
   The Quarterly report submitted to the EPA's Water Compliance Branch in January 2013 includes the description and detail of the stormwater consolidation project. It is included In Appendix 3 for reference purposes.

5. **Supplemental Environmental Project**
   It appears that the documentation of the SEP required in paragraph 31 was not submitted.

Documentation was including in Quarterly Report submitted on July 27, 2012.

A copy of the SEP Deed is included in Attachment 4

Please let us know if you have any questions regarding all of these matters which we hope have been adequately clarified to EPA's satisfaction. As you know, Essroc implemented the storm water conveyance system consolidation improvements, copy of which were provided to EPA on August 18, 2012 and also reported in the January 2013 Quarterly Report, in an effort to improve the system beyond the measures included in the Consent Decree in order to upgrade the overall control mechanisms and enhance the environment. The Quarterly Report submitted on January 29, 2013 ascertained completion of the additional measures included in the Stormwater Consolidation Project Proposal. The continuous compliance with all applicable parameters for a period in excess of twelve (12) months further demonstrates Essroc's commitment in addressing and even going beyond the requirements included in the Consent Decree. To that effect, this letter is also intended to demonstrate our interest in terminating the Consent Order based on ESSROC's satisfactorily compliance with the requirements for termination of this Consent Decree after more than one year of continued demonstrated compliance.

Thank you for your interest and assistance in our efforts to improve the environment.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Cordially,

Jose Uriol

General Manager and VP